

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

CAROL A. TRAWICK	)	
	)	
Plaintiff,	)	
	)	C.A. No. 08-43 (GMS)
v.	)	
	)	
T&A HOLDING CORPORATION,	)	
MT HOLDING CORPORATION	)	
	)	
Defendants/Counterclaimants.	)	
_____	)	

**PLAINTIFF CAROL A TRAWICK'S MOTION TO DISMISS  
DEFENDANTS' COUNTERCLAIM**

Plaintiff Carol A. Trawick, through her undersigned counsel, hereby moves to dismiss Defendants' Counterclaim (D.I. 6) pursuant to Federal Rule of Civil Procedure 12(b)(6). The bases for this Motion are set forth in Plaintiff's Opening Brief in Support of Her Motion to Dismiss. Attached is a proposed form of Order for the Court's consideration.

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*Attorneys for Plaintiff Carol A. Trawick*

Dated: May 19, 2008

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T&A HOLDING CORPORATION,	)	
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	)	
Defendants/Counterclaimants.	)	
_____	)	

**ORDER**

After consideration of the respective positions of the parties, IT IS HEREBY ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2008, that Plaintiff Carol A. Trawick's Motion to Dismiss Defendants' Counterclaim is GRANTED, and that the Counterclaim (D.I. 6) is dismissed against Plaintiff in its entirety and with prejudice.

\_\_\_\_\_  
United States District Court Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on May 19, 2008, the foregoing PLAINTIFF CAROL A. TRAWICK'S MOTION TO DISMISS DEFENDANTS' COUNTERCLAIM was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing to the following and the document is available for reviewing and downloading from CM/ECF:

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